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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,295	04/22/2004	Hiroshi Inoue	0054-0285PUS1	7220
2292 7590 11/05/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER BECKLEY, JONATHAN R				
ART UNIT 2625		PAPER NUMBER		
NOTIFICATION DATE 11/05/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/829,295

**Applicant(s)**

INOUE ET AL.

**Examiner**

JONATHAN R. BECKLEY

**Art Unit**

2625

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 23 September 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-13.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Twyler L. Haskins/  
Supervisory Patent Examiner, Art Unit 2625

/Jonathan R Beckley/  
Examiner, Art Unit 2625

Continuation of 11, does NOT place the application in condition for allowance because: The rejections remain the same according to Claims 1-13. Applicant argues Watanabe does not teach or suggest a code conversion means, a code transmission means, and a print terminal of an image data returning means that decodes the encrypted code as recited in claim 1. Examiner respectfully disagrees with the applicant in previously presented and numerous examples will further be explained to further iterate the rejections. Examiner believes the applicant is too broad in the disclosure of claim limitations and application specifications to conclude that Watanabe does not teach or suggest the same disclosure of the applicant. Applicant explains code conversion means that converts the ID and password into a code that stores information on the ID and the password. Watanabe discloses code conversion means in several aspects of his disclosure. Watanabe discloses a program is given in advance to a user to use the services described. Watanabe further discloses the described services are in form of a web page by a server which communicated through electronic mail. Watanabe describes that when a user requests images simultaneously with a request of image registration that a document is provided which describes an ID and password is provided to the user. In regards to the invention of Watanabe, an initial user inputs a registration ID and/or user ID and password received from the center server to retrieve and send images. Watanabe clearly discloses converting ID and password information that is stored in code. Watanabe discloses memory code which is saved in a database for authentication, communication code which is converted and sent through email and then reconverted according to the program which the user has in advanced and the general computer code which processes throughout the entire system. (Column 1, lines 14-34; Column 6, lines 14-65; and Column 7, lines 23-37). Applicant explains code transmission means that transmits the code storing ID and password information to the address inputted by the destination input means. Watanabe discloses this code transmission means throughout the disclosure. Watanabe refers to initial registration of images by the action of sending an electronic document to the user which contains information on the ID and password. The user can then use this IDs and passwords to perform the services provided by the invention of Watanabe. A destination is given to the center server for initial registration and also a destination is given to the center server when user A wants to send an email to user B with code which stores information on the ID and password. (Column 1, lines 14-34; Column 3, lines 9-12; Column 6, lines 14 - 24; Column 7, lines 38-66 ). Applicant explains image data returning means that performs authentication using an ID and password and if positive reading the image data corresponding to the ID to the print terminal, and this occurs when the print terminal decodes the code to the ID and password and transmits the password. Emphasis in the arguments of the applicant were directly to the "decodes the code to the ID and password and transmits the ID and password." Watanabe again uses reference to the initial registration which send a user an electronic document with the digitized images that describes the IDs and passwords. The user then can return the ID and passwords to control the system and retrieve the images according to the selected images described within Watanabe. (Column 7, lines 5-16, and 28-36; and Column 6, lines 14-55) Watanabe discloses the current applicant's elements in Claim 1. Due to the fact that code is never clearly explained, described, or disclosed as to the exact type of code the Examiner understands code in many different aspects all which have further been explained by the disclosure of Watanabe. For the same reasons described above the following independent and dependent claims stand rejected upon the same prior reasons and those explained above. Watanabe, Watanabe combined with Yamamoto, and Watanabe combined with Banerjee clearly disclose the current application. Claims 1 - 13 respectfully stand rejected. .